

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
WACO DIVISION**

K.MIZRA LLC,

Plaintiff,

v.

CISCO SYSTEMS, INC.,

Defendant.

Civil Action No.: 6:20-cv-01031-ADA

**Jury Trial Demanded**

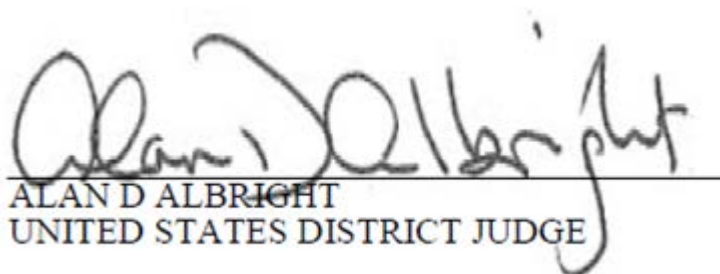
**OMNIBUS ORDER REGARDING PRETRIAL MOTIONS**

Following the July 13, 2023 Initial Pretrial Conference in this matter (ECF No. 176), the parties respectfully submit this Joint Proposed Omnibus Order regarding the Court's rulings on the parties' pretrial motions:

<b><u>Motion</u></b>	<b><u>Ruling</u></b>
Defendant Cisco Systems, Inc.'s ("Cisco" or "Defendant") Motion for Summary Judgment of Noninfringement (ECF Nos. 119, 139-140, 159)	Denied.
Plaintiff K.Mizra LLC's ("K.Mizra" or "Plaintiff") Motion for Summary Judgment on Defendant Cisco's Contract-Based Affirmative Defense and Counterclaims (ECF Nos. 123-124, 142, 161)	Denied.
Defendant's Motion for Summary Judgment or Partial Summary Judgment Based on License (ECF Nos. 113, 143, 145, 158)	Denied.
Plaintiff's Motion for Summary Judgment as to Defendant's Cisco's Defenses Based on Prior Art and Patent Eligibility (ECF Nos. 121-122, 144, 157)	Granted.

<u><b>Motion</b></u>	<u><b>Ruling</b></u>
Plaintiff's Motion to Exclude Opinion of Defendant Cisco's Expert, Dr. Paul Clark (ECF Nos. 118, 120, 138, 162)	As to enablement under 35 U.S.C. § 112, the Motion is denied as moot.  Denied as to anticipation and obviousness under 35 U.S.C. §§ 102-103.
Defendant's Motion to Exclude K.Mizra's Damages Expert (ECF Nos. 128-129, 146-147, 160)	As set forth in the transcript of the July 13, 2023 pretrial hearing, the parties will confer and cooperate to complete damages discovery and supplement and/or amend affirmative and rebuttal expert reports on damages issues. Once completed, the parties will contact the Court to reset and schedule <i>Daubert</i> briefing and the pretrial conference. Accordingly, the Motion is denied without prejudice.
Plaintiff's Motion to Exclude Opinion of Cisco's damages expert, Ambreen Salters (ECF Nos. 130, 141, 163)	As set forth in the transcript of the July 13, 2023 pretrial hearing, the parties will confer and cooperate to complete damages discovery and supplement and/or amend affirmative and rebuttal expert reports on damages issues. Once completed, the parties will contact the Court to reset and schedule <i>Daubert</i> briefing and the pretrial conference. Accordingly, the Motion is denied without prejudice.

**SIGNED** this 27th day of July, 2023.

  
 ALAN D ALBRIGHT  
 UNITED STATES DISTRICT JUDGE